

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested.
Currently, claims 57-70, 83-89, 101, 103 and 109-131 are pending in this application.

Allowable Subject Matter:

Claims 101, 103, 123 and 131 have been rewritten in independent form. Claims 101, 103, 123 and 131 are thus allowable.

Rejection Under 35 U.S.C. §102:

Claims 57-70, 83-89, 109-122 and 124-130 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Hurtado et al (U.S. '421, hereinafter "Hurtado"). Applicant respectfully traverses this rejection.

For a reference to anticipate a claim, each element must be found, either expressly or under principles of inherency, in the reference. Each element of the claimed invention is not found in Hurtado. For example, Hurtado fails to disclose "A method of transferring authorization to render protected electronic content from a first device to a second device having a device cryptographic key, the method comprising: receiving a transfer authorization request having an indicator of the first device, an indicator of the second device, and an indicator of the protected electronic content; [and] updating a first device history table to indicate that the first device is not authorized to render the protected electronic content and updating a second device history table to indicate that second device is authorized to render the protected electronic content based on the received transfer authorization request (emphasis added)," as required by independent claim 57. Similar, but not necessarily identical, comments apply to independent claims 83, 109 and 124.

The Office Action alleges that Fig. 1D and associated written description of Hurtado discloses a method of transferring authorization to render content from a first device to a second device. Applicant respectfully disagrees with this allegation. Fig. 1D merely depicts operations between a content hosting site and an end user device. Fig. 1D fails to disclose the claimed authorization request. In particular, Fig. 1D and associated description fail to disclose or even suggest transferring authorization to render content from a first device to a second device so that the first device is not authorized to render the content after such transfer.

The Office Action alleges that col. 18, line 53 to col. 19, line 18 of Hurtado discloses “updating a first device history table to indicate that the first device is not authorized to render the protected electronic content and updating a second device history table to indicate that second device is authorized to render the protected electronic content based on the received transfer authorization request” as claimed. Applicant respectfully disagrees with this allegation. Col. 18, line 53 to col. 19, line 18 of Hurtado states:

409 Recipient verifies the digital signature in the sender's certificate by decrypting it with the public key of the certification authority. If the certificate's digital signature is valid, recipient acquires the sender's public key from the certificate.

410 Recipient decrypts the SC(s) digital signature using the sender's public key. This recovers the SC(s) digest. PB SENDER refers to the sender's public key.

411 Recipient runs the concatenation of the received content digest and encrypted key digest through the same hash algorithm used by the sender to compute the SC(s) digest.

412 Recipient compares the computed SC(s) digest with the one recovered from the sender's digital signature. If they are the same, recipient confirms that the received digests have not been altered and continues with the decryption process. If they are not the same, recipient discards the SC(s) and notifies the sender.

413 Recipient runs the encrypted symmetric key through the same hash algorithm used in step 411 to compute the symmetric key digest.

414 Recipient compares the computed symmetric key digest with the one received in the SC(s). If it is the same, recipient knows that the encrypted symmetric key has not been altered. Recipient continues with the decryption process. If not valid, recipient discards the SC(s) and notifies the sender.

415 Recipient runs the encrypted content through the same hash algorithm used in step 411 to compute the content digest.

416 Recipient compares the computed content digest with the one received in the SC(s). If it is the same, recipient knows that the encrypted content has not been altered. Recipient then continues with the decryption process. If not valid, recipient discards the SC(s) and notifies the sender.

As can be plainly seen from above, this passage of Hurtado fails to even mention a first device history table, a second device history table, or any indication that a device is no longer authorized to render protected content. If the next Office Action maintains the rejection in view of Hurtado, then Applicant respectfully requests a detailed explanation of which portion(s) of the above passage disclose a first device history table, a second device history table, and an indication that a device is no longer authorized to render protected content.

Dependent claims 64 and 116 further require updating the first device history table comprises removing a stored indicator of the protected electronic content from the first device history table. Section 10 of the Office Action alleges that col. 71, lines 49-62 discloses these limitations. Applicant disagrees. Col. 71, lines 49-62 states the following:

Before transmitting the Content SC(s) 630 to the End-User Device(s) 109, analysis and verifications are performed on the End-User's request. A database is kept of all of the License SC IDs that have been used to download Content 113. This database can be checked to ensure that the End-User Device(s) 109 only makes one request for each piece of Content 113 purchased. This prevents malicious users from repeatedly accessing the Content Hosting

Site(s) 111 in hopes of slowing down the Content Hosting Site(s) 111 and prevents unauthorized download of the Content SC(s) 630.

The promotion and demotion of Content 113 to the Secondary Content sites is done periodically based on customer demand for the individual pieces of Content 113.

The above passage of Hurtado disclose a database of license SC IDs. However, this passage of Hurtado makes absolutely no reference to *removing* a stored indicator of content from a history table. If the next Office Action maintains the rejection in view of Hurtado, then Applicant respectfully requests a detailed explanation of which portion(s) of the above passage discloses this limitation.

Dependent claims 65 and 117 further require updating the first device history table comprises adding indicia that the protected electronic content is no longer authorized for the first device.. Section 11 of the Office Action alleges that col. 76, lines 43-60 discloses these limitations. Applicant disagrees. Col. 76, lines 43-60 states the following:

This stripped down Metadata SC(s) 620 is then included in the Offer SC(s) 641. The Electronic Digital Content Store(s) 103 also attaches its own Usage Conditions called Store Usage Conditions 519 or purchase options to the Offer SC(s) 641. This can be accomplished interactively or automatically through a set of defaults. If configured to be processed interactively, the Electronic Digital Content Store(s) 103 is prompted with the set of permitted object Usage Conditions 517 as defined by the Content Provider(s) 101. He then selects the option(s) he wishes to offer to his customers. These now become the new Usage Conditions or Store Usage Conditions 519. To process automatically, the Electronic Digital Content Store(s) 103 configures a set of default purchase options to be offered for all Content 113. These default options are automatically checked against the permitted Usage Conditions 517 defined by the Content Provider(s) 101 and is set in the Offer SC(s) 641 if there are no discrepancies.

The above passage of Hurtado fails to disclose any indicia that protected content is no longer authorized for a device. If the next Office Action maintains the rejection in

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view of Hurtado, then Applicant respectfully requests a detailed explanation of which portion(s) of the above passage discloses this limitation.

Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. §102 in view of Hurtado be withdrawn.

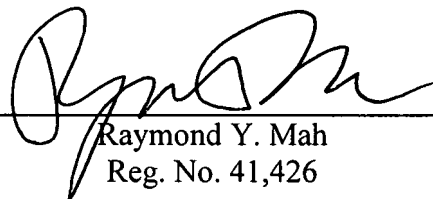
Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Raymond Y. Mah
Reg. No. 41,426

RYM:dmw
901 North Glebe Road, 11th Floor
Arlington, VA 22203
Telephone: (703) 816-4044
Facsimile: (703) 816-4100